

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 02-6484**

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ROBB M. HARKSEN,

Plaintiff - Appellant,

versus

UNNAMED DEFENDANTS; R. A. YOUNG, Regional Director; UNKNOWN LAW ENFORCEMENT OFFICER; S. K. YOUNG, Warden, Wallens Ridge State Prison; MR. HARVEY, Assistant Warden of Wallens Ridge State Prison; D. A. TAYLOR, Captain; SERGEANT GIVENS; SERGEANT O'QUINN; CORRECTIONAL OFFICER HAMILTON; TERESA JOHNSON, Nurse; RON ANGELONE; DOCTOR BAILEY; NURSE BALLARD; CORRECTIONAL OFFICER BOGGS; S. CLINGMAN; CORRECTIONAL OFFICER COCHRAN; LIEUTENANT COMPTON; ISAAC WOODY DAILY, II; SERGEANT DAVIDSON; R. N. DUNCAN; SERGEANT ELAM; NURSE ESKRIDGE, LPN; NURSE FRALEY, LPN; LIEUTENANT GALIHAR; M. GLASS, Psychologist; SERGEANT HAMILTON; NURSE HARBOR, LPN; AWO HARVEY; SERGEANT HEAD; CORRECTIONAL OFFICER HICKS; CAPTAIN HOCKETT; P. HUGHES; GENE JOHNSON; CORRECTIONAL OFFICER JONES; D. JONES, Psychologist; H. JORDAN; CORRECTIONAL OFFICER KERN; CORRECTIONAL OFFICER LINGERFELT; E. LOONEY, MD; NURSE MCCURRY, LPN; NURSE MCNEIL; J. MOORE, Correctional Officer (1); J. MOORE, Correctional Officer (2); DOCTOR OHAI; COUNSELOR MONK; SERGEANT MEYER; J. PERKINS, Psychologist; R. PHILLIPS, AWP; B. J. RAVIZE; CORRECTIONAL OFFICER REED; FRED SHILLINGS, MD; W. SMITH, Correctional Officer; K. SNYDER, Lieutenant; CORRECTIONAL OFFICER STACY; SERGEANT STANLEY; DOCTOR TATRO; WARDEN TRUE; DOCTOR WAGNER; F. WILKINS, Sergeant;

CORRECTIONAL OFFICER YOUNG; R. A. YOUNG; S. A.  
YOUNG,

Defendants - Appellees.

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Appeal from the United States District Court for the Western  
District of Virginia, at Roanoke. James C. Turk, District Judge.  
(CA-00-962-7)

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Submitted: June 13, 2002

Decided: June 19, 2002

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Before WIDENER, LUTTIG, and WILLIAMS, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Robb M. Harsen, Appellant Pro Se. Mark Ralph Davis OFFICE OF THE  
ATTORNEY GENERAL OF VIRGINIA, Richmond, Virginia, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Robb M. Harksen appeals the district court's order dismissing without prejudice some but not all of Harksen's claims brought pursuant to 42 U.S.C.A. § 1983 (West Supp. 2001) for failure to state a claim under 28 U.S.C.A. § 1915A (West Supp. 2001). We dismiss the appeal for lack of jurisdiction because the order is not appealable. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (1994), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (1994); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541 (1949). The order here appealed is neither a final order nor an appealable interlocutory or collateral order.

We dismiss the appeal as interlocutory. We deny Harksen's motion for a ruling on a motion in the district court. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED